

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)
v.) Case No. _____
LUMON ANDRE LAYTON,)
also known as "Loom," and)
CEDRIC LAMAR NELSON)
also known as "Ced")

INDICTMENT

COUNT ONE: [21 U.S.C. §§ 846, 841(a)(1), (b)(1)(A), & (b)(1)(B)]

The Grand Jury charges that:

1. Beginning in and about March 2022, and continuing to on or about the 6th day of January 2023, more exact dates being unknown to the Grand Jury, within the Northern District of Alabama, and elsewhere, the defendants,

LUMON ANDRE LAYTON,
also known as "Loom,"
and
CEDRIC LAMAR NELSON,
also known as "Ced,"

did knowingly and intentionally conspire and agree with each other and others both known and unknown to the Grand Jury to knowingly and intentionally possess with the intent to distribute and to distribute a controlled substance, such conspiracy

involving one (1) kilogram or more of a mixture and substance containing a detectable amount of heroin, four hundred (400) grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide, more commonly referred to as fentanyl, fifty (50) grams or more of methamphetamine, and five (5) kilograms or more of a mixture and substance containing a detectable amount of cocaine hydrochloride, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A), and forty (40) grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide, more commonly referred to as fentanyl, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B), all in violation of Title 21, United States Code, Section 846.

2. The Grand Jury further makes the following special findings as to the amounts of heroin, N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide, more commonly referred to as fentanyl, cocaine hydrochloride, and methamphetamine involved in the conspiracy:

a. With respect to LUMON ANDRE LAYTON the amount involved in the conspiracy attributable to each as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is one (1) kilogram or more of a mixture and substance containing a detectable amount of heroin, four hundred (400) grams or more of a mixture and substance

containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide, more commonly referred to as fentanyl, fifty (50) grams or more of methamphetamine, and five (5) kilograms or more of a mixture and substance containing a detectable amount of cocaine hydrochloride, in violation of Title 21 United States Code, Section 841(b)(1)(A);

b. With respect to CEDRIC LAMAR NELSON the amount involved in the conspiracy attributable to each as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is forty (40) grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide, more commonly referred to as fentanyl, in violation of Title 21 United States Code, Section 841(b)(1)(B).

COUNT TWO: [21 U.S.C. §§ 841(a)(1) and (b)(1)(C)]

The Grand Jury charges that:

On or about the 8th day of March 2022, in Jefferson County, within the Northern District of Alabama, the defendants,

**LUMON ANDRE LAYTON,
also known as “Loom,”
and
CEDRIC LAMAR NELSON,
also known as “Ced,”**

did knowingly and intentionally distribute a controlled substance, such offense involving a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide, more commonly referred to as fentanyl, each a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT THREE: [21 U.S.C. §§ 841(a)(1) and (b)(1)(C)]

The Grand Jury charges that:

On or about the 15th day of March 2022, in Jefferson County, within the Northern District of Alabama, the defendants,

LUMON ANDRE LAYTON,
also known as “Loom,”
and
CEDRIC LAMAR NELSON,
also known as “Ced,”

did knowingly and intentionally distribute a controlled substance, such offense involving a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide, more commonly referred to as fentanyl, a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT FOUR: [21 U.S.C. §§ 841(a)(1), (b)(1)(A), (b)(1)(C), and (b)(1)(D)]

The Grand Jury charges that:

On or about the 3rd day of August 2022, in Jefferson County, within the

Northern District of Alabama, the defendant,

LUMON ANDRE LAYTON,
also known as "Loom,"

did knowingly and intentionally possess with the intent to distribute a controlled substance, such offense involving fifty (50) grams or more of methamphetamine, four hundred (400) grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl]propanamide, more commonly referred to as fentanyl, a mixture and substance containing a detectable amount of heroin, a mixture and substance containing a detectable amount of cocaine hydrochloride, and a mixture and substance containing a detectable amount of marijuana, each a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A), (b)(1)(B), (b)(1)(C), and (b)(1)(D).

COUNT FIVE: [18 U.S.C. § 924(c)(1)(A)]

The Grand Jury charges that:

On or about the 3rd of August 2022, in Jefferson County, within the Northern District of Alabama, the defendant,

LUMON ANDRE LAYTON,
also known as "Loom,"

did knowingly use and carry a firearm, that is, a Ruger 5.7 x 28mm caliber pistol, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, the drug trafficking offenses alleged in Counts

One and Four, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT SIX: [18 U.S.C. § 922(g)(1)]

The Grand Jury charges that:

On or about the 3rd day of August 2022, in Jefferson County, within the Northern District of Alabama, the defendant,

LUMON ANDRE LAYTON,
also known as "Loom,"

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, that is, a Ruger 5.7 x 28mm caliber pistol, that was in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(g)(1). The defendant was convicted of Manslaughter on May 2, 2000, in the Circuit Court of Talladega County, Alabama, in case number CC-1999-474; convicted of Unlawful Possession of Marijuana First Degree on July 26, 1999, in the Circuit Court of Jefferson County, Alabama, in case number CC-1996-5600; convicted of Unlawful Possession of a Controlled Substance on July 26, 1999, in the Circuit Court of Jefferson County, Alabama, in case number CC-1996-5601; each offense being a crime punishable by imprisonment for a term exceeding one year.

COUNT SEVEN: [21 U.S.C. §§ 841(a)(1), (b)(1)(A) and (b)(1)(D)]

The Grand Jury charges that:

On or about the 6th day of January 2023, in Jefferson County, within the Northern District of Alabama, the defendant,

LUMON ANDRE LAYTON,
also known as “Loom,”

did knowingly and intentionally possess with the intent to distribute a controlled substance, such offense involving fifty (50) grams or more of methamphetamine, one (1) kilogram or more of a mixture and substance containing a detectible amount of heroin, four hundred (400) grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide, more commonly referred to as fentanyl, five (5) kilograms or more of a mixture and substance containing a detectible amount of cocaine hydrochloride, and a mixture and substance containing a detectible amount of marijuana, each a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A) and (b)(1)(D).

COUNT EIGHT: [18 U.S.C. § 924(c)(1)(A)]

The Grand Jury charges that:

On or about the 6th day of January 2023, in Jefferson County, within the Northern District of Alabama, the defendant,

LUMON ANDRE LAYTON,
also known as “Loom,”

did knowingly use and carry a firearm, that is, a Glock .40 caliber pistol, during and

in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, the drug trafficking offenses alleged in Counts One and Seven, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT NINE: [18 U.S.C. § 922(g)(1)]

The Grand Jury charges that:

On or about the 6th day of January 2023, in Jefferson County, within the Northern District of Alabama, the defendant,

LUMON ANDRE LAYTON,
also known as “Loom,”

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, that is, a Glock .40 caliber pistol, that was in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(g)(1). The defendant was convicted of Manslaughter on February 17, 2000, in the Circuit Court of Talladega County, Alabama, in case number CC-1999-474; convicted of Unlawful Possession of Marijuana First Degree on July 26, 1999, in the Circuit Court of Jefferson County, Alabama, in case number CC-1996-5600; convicted of Unlawful Possession of a Controlled Substance on July 26, 1999, in the Circuit Court of Jefferson County, Alabama, in case number CC-1996-5601; each offense being a crime punishable by imprisonment for a term exceeding one year.

COUNT TEN: [21 U.S.C. §§ 841(a)(1), (b)(1)(A), (b)(1)(B), (b)(1)(C), and (b)(1)(D)]

The Grand Jury charges that:

On or about the 6th day of January 2023, at a location separate and distinct from Count Eight, in Jefferson County, within the Northern District of Alabama, the defendant,

**LUMON ANDRE LAYTON,
*also known as “Loom,”***

did knowingly and intentionally possess with the intent to distribute a controlled substance, such offense involving fifty (50) grams or more of methamphetamine, forty (40) grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide, more commonly referred to as fentanyl, a mixture and substance containing a detectable amount of cocaine hydrochloride, a mixture and substance containing a detectable amount of heroin, and a mixture and substance containing a detectable amount of marijuana, each a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A), (b)(1)(B), and (b)(1)(D).

FIRST NOTICE OF FORFEITURE:
[21 U.S.C. § 853]

1. The allegations of Counts One through Ten of this Indictment are realleged and incorporated by reference as though set forth fully herein for the

purpose of alleging forfeiture to the United States pursuant to the provisions of Title 21, United States Code, Section 853.

2. On January 6, 2023, four search warrants were executed on properties involved in the conspiracy set out in allegations Counts One through Ten of this indictment. Law enforcement seized \$1,088,000 from these properties as well as five firearms seized during the course of the investigation of this case.

2. Pursuant to Title 21, United States Code, Section 853, upon conviction of one or more of the Title 21 offenses alleged in Counts One through Ten of this Indictment, defendant,

**LUMON ANDRE LAYTON,
*also known as “Loom,”***

shall forfeit to the United States, pursuant to 21 U.S.C. § 853 any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the said violations and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violations, including but not limited to the following:

a judgment for proceeds- a sum equal to at least \$1,000,000,

a Ruger 5.7 x 28mm caliber pistol, bearing serial number 642-19963, and

a Glock .40 caliber pistol, bearing serial number BBFX 141,

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- A. cannot be located upon the exercise of due diligence;
- B. has been transferred, or sold to, or deposited with, a third party;
- C. has been placed beyond the jurisdiction of the court;
- D. has been substantially diminished in value; or
- E. has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21 United States Code, Section 853(p).

SECOND NOTICE OF FORFEITURE:
[18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c)]

1. The allegations contained in Counts One through Ten of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).
2. Upon conviction of the offenses charged in Counts One through Thirteen of this Indictment, the defendant,

LUMON ANDRE LAYTON,
also known as “Loom,”

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in or used in the commission of the offenses, including, but not limited to:

a Ruger 5.7 x 28mm caliber pistol bearing serial number 642-19963, and

a Glock .40 caliber pistol bearing serial number BBFX 141.

All pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

A TRUE BILL

/s/electronic signature
FOREPERSON OF THE GRAND JURY

PRIM F. ESCALONA
United States Attorney

/s/electronic signature
JONATHAN S. CROSS
Assistant United States Attorney